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(Original Signature of Member)

110TH CONGRESS
2D SESSION

H. R. _____

To amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. WILSON of Ohio introduced the following bill; which was referred to the Committee on _____

A BILL

To amend title II of the Social Security Act to eliminate the five-month waiting period in the disability insurance program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Social Security Fair-
5 ness for the Terminally Ill Act of 2008”.

1 **SEC. 2. ELIMINATION OF TITLE II WAITING PERIOD FOR**
2 **TERMINALLY ILL INDIVIDUALS.**

3 (a) IN GENERAL.—Section 223(a)(1) of the Social
4 Security Act (42 U.S.C. 423(a)(1)) is amended by adding
5 at the end the following new sentence: “In the case of any
6 application for disability insurance benefits filed by an in-
7 dividual who is determined to be under a disability and
8 who has been certified as terminally ill by a physician (as
9 defined in section 1861(r)(1)), this paragraph shall be ap-
10 plied without regard to any waiting period. For the pur-
11 poses of the preceding sentence, an individual is consid-
12 ered to be terminally ill if the individual has a medical
13 prognosis that the individual’s life expectancy is 6 months
14 or less.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 this section shall take effect with respect to applications
17 filed after the date of the enactment of this Act.